

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herein, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-21 are currently pending. Claims 1, 4-12, 14-16, and 19, which are independent, are hereby amended. Dependent claim 18 is also amended. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification as originally filed, and specifically at pages 21-25.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

**II. REJECTIONS UNDER 35 U.S.C. § 101**

Claims 16-18 were rejected under 35 U.S.C. §101 for allegedly being directed to non-statutory subject matter. Applicants respectfully submit that claims 16-18 are directed to a program storage-medium, which is statutory subject matter. Applicants respectfully request the rejection of claims 16-18 under 35 U.S.C. § 101 be withdrawn.

### III. REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 1-21 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 5,867,579 to Saito (hereinafter, merely "Saito") in view of U.S. Patent No. 6,002,771 to Nielson (hereinafter, merely "Nielson") and in view of U.S. Patent No. 5,673,316 to Auerbach et al. (hereinafter, merely "Auerbach").

Claim 1 recites, *inter alia*:

**"... wherein the first usage control status and the second usage control status includes at least system registration information; and**

**wherein the system registration information includes at least an equipment number, a settlement number, account-settling user information, subordinate user information, and use point information.**" (Emphasis added)

As understood by Applicants, Saito relates to a data copyright management apparatus. A data copyright management system program, crypt algorithm, and user information are stored in ROM, and public-private encryption keys and copyright information are stored in EEPROM. The data copyright management apparatus may be configured in the form of an IC card or the like, and may be inserted into a computer, a set-top box, and the like.

As understood by Applicants, Nielsen relates to regulating discounts on merchandise distributed through networked computer systems. Neilson teaches using discount **coupons** valid toward the repurchase of merchandise. When a user desires to purchase merchandise, the user creates a request to purchase the merchandise and sends the request to purchase to a vendor. The **vendor creates and encrypts a discount coupon** valid toward the

repurchase of the merchandise at a later time and sends the encrypted discount coupon together with the merchandise to the user. (Emphasis added)

As understood by Applicants, Auerbach relates to creating and distributing access to digital documents through cryptographic envelopes.

Applicants respectfully submit that nothing has been found in Saito, Nielson, or Auerbach, taken alone or in combination, that would teach or suggest the above-identified features of claim 1. Specifically, nothing has been found in the art used as a basis of rejection that would disclose or suggest that the first usage control status and the second usage control status includes at least system registration information and that the system registration information includes at least an equipment number, a settlement number, account-settling user information, subordinate user information, and use point information, all as recited in claim 1.

Indeed, as stated in Applicants' previous response, Applicants respectfully submit that the printed coupons of Nielsen teach away from the first and second preselected time periods as recited in claim 1, since a printed coupon offers a completely different approach to providing content to a user at a reduced fee. Furthermore, Applicants respectfully submit that Auerbach fails to add any relevant teaching to Nielsen.

Thus, Applicants respectfully submit that the applied combination fails to teach or suggest the features recited in claim 1 and that the combination actually teaches away from the claimed invention.

Accordingly, Applicants respectfully submit that claim 1 is patentable.

Since the other independent claims recite similar, or somewhat similar features, Applicants respectfully submit that those claims are also patentable for the above-recited reasons.

#### IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

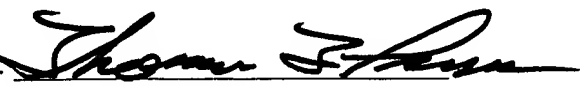
#### CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate the portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are in condition for allowance and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By:   
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800